

AMENDED IN SENATE APRIL 14, 2015

SENATE BILL

No. 476

Introduced by Senator Mendoza

February 26, 2015

An act to amend Section 18897 of, to add Section 18897.8 to, and to repeal and add Section 18897.1 of, the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 476, as amended, Mendoza. Organized camps.

Existing law requires the State Public Health Officer to establish rules and regulations establishing minimum standards for organized camps, and regulating the operation of organized camps that he or she determines are necessary to protect the health and safety of the campers. Existing law establishes minimum standards for the operation, regulation, and enforcement of organized camps, as defined.

This bill would recast those provisions and instead define an "organized camp" to include an "organized resident camp" and an "organized day camp," as specified, *that provides activities that promote environmental awareness and education. This bill would exclude from "organized camps" physical education, sports training, and theatre program.* The bill would require ~~those~~ *the included* camps to develop a written operating plan and provide the local public health officer with the plan, or written verification that the camp is accredited by the American Camp Association, at least 30 days prior to commencing operation of the camp. The bill would also require those camps to comply with applicable safety and supervision requirements relating to camp directors and counselors, install a carbon monoxide detector in

specified buildings, and store firearms and bows and arrows in a locked storage cabinet when not in use, as specified.

The bill would authorize the local public health officer to inspect the camp and charge a fee for that purpose. The bill would also require the State Department of Public Health, in adopting or amending the rules and regulations pertaining to organized camps, to make reasonable efforts to obtain the input and advice of prescribed organizations.

Because this bill would impose additional duties upon local public health officers in cities and counties, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 18897 of the Health and Safety Code is
- 2 amended to read:
- 3 18897. (a) “Organized camp” means an organized resident
- 4 camp or an organized day camp that operates seasonally to provide
- 5 group-based recreation and expanded learning opportunities with
- 6 social, spiritual, educational, or recreational ~~services~~ *activities that*
- 7 *promote environmental awareness and education* on a seasonal
- 8 basis.
- 9 (1) A group that leases an organized camp for the purpose of
- 10 conducting a camp for children under 18 years of age shall comply
- 11 with this part.
- 12 (2) An “organized camp” does not include any of the following:
- 13 (A) A hotel, motel, tourist camp, trailer park, resort, hunting
- 14 camp, auto court, labor camp, penal or correctional camp, drug
- 15 and alcohol resident rehabilitation program or other program or

1 facility subject to occupancy taxes, home-finding agencies, or a
2 licensed child day care facility as defined in Section 1596.750.

3 (B) A charitable or recreational organization that complies with
4 the rules and regulations for recreational trailer parks.

5 (C) Sites or programs that are used by adults or groups for
6 counseling, religious retreats, reunions, conferences, and special
7 events on an intermittent, short-term basis of less than four
8 consecutive overnight stays.

9 (D) ~~Day camp programs~~ *Programs* offered by museums, zoos,
10 cities, counties, ~~or special districts~~ *districts, sports training*
11 *organizations, gymnastics studios, theatre groups, or other physical*
12 *education-based organizations.*

13 (b) “Organized resident camp” means a site or sites with
14 programs and facilities established for the primary purposes of
15 providing group living experiences and that provides overnight
16 stays during one or more seasons of the year, excluding field trips
17 as provided for under subparagraph (B) of paragraph (2) of
18 subdivision (c).

19 (c) (1) “Organized day camp” means a program that is
20 established for the primary purpose of providing group experiences
21 for children under 18 years of age during the day.

22 (2) An organized day camp may do all of the following:

23 (A) Transport campers to parks, beaches, campsites, and other
24 locations for activities.

25 (B) Provide for offsite field trips for no more than three
26 consecutive days. Any organized day camp that provides offsite
27 field trips for more than two consecutive nights shall be considered
28 an organized resident camp.

29 (3) An organized day camp shall have adequate staff to carry
30 out the program, including, but not limited to, a qualified program
31 director who has at least two seasons of administrative or
32 supervisory experience at an organized day camp or a youth
33 program. The program director shall be present at all times during
34 the operation of the organized day camp.

35 (d) “Camper” means any person in an organized camp on a fee
36 or nonfee basis who is a participant in the regular program and
37 training of an organized camp.

38 SEC. 2. Section 18897.1 of the Health and Safety Code is
39 repealed.

SEC. 3. Section 18897.1 is added to the Health and Safety Code, to read:

18897.1. (a) An organized day camp or an organized resident camp shall do all of the following:

(1) Develop a written operating plan *pursuant to Section 30704 of Title 17 of the California Code of Regulations* and provide the plan, or written verification that the camp is accredited by the American Camp Association (ACA), to the local public health officer or his or her designee at least 30 days prior to commencing operation of the camp. Year-round camps shall submit their plans on an annual basis.

(2) Meet the applicable requirements of Section 30751 of Title 17 of the California Code of Regulations.

(3) Install a carbon monoxide detector in any building intended for human occupancy that has a fossil fuel burning heater or appliance, a fireplace, or an attached garage.

(4) Store all firearms, including rifles, pellet guns, and air guns, and bows and arrows in a locked cabinet designated for this use when those items are not in use for authorized camp activities. The director, or a qualified designee *of the director* that meets the requirements of subdivision (a) of Section 30751 of Title 17 of the California Code of Regulations, of the organized camp shall maintain possession of the key to this cabinet.

(b) The local public health officer shall acknowledge receipt of the operating plan or verification of accreditation described in paragraph (1) of subdivision (a) within 30 days. The local public health officer may charge a fee for the review of an operating plan that shall not exceed the actual cost of review. The local public health officer ~~may~~ *shall* not charge a fee for an acknowledgment of camp accreditation. Upon receipt of the local public health officer's acknowledgment, the organized day camp or organized resident camp shall post a copy of the acknowledgment in a conspicuous location on the camp premises.

(c) (1) The local public health officer may inspect the organized day camp or organized resident camp and ~~any~~ charge a fee for that purpose, not to exceed the reasonable cost of the inspection. The local public health officer shall provide, within 30 days, a summary of any violations of health and safety standards established in the rules and regulations establishing minimum standards for organized camps.

1 (2) If the local public health officer does not conduct an
2 inspection, he or she ~~may~~ *shall* not impose any charges on the
3 organized day camp or organized resident camp other than for
4 reviewing the *written operating* plan pursuant to paragraph (2) of
5 subdivision (a).

6 (d) An organized day camp or organized resident camp that has
7 been cited for failing to meet legal requirements may appeal the
8 citation to the local health department.

9 SEC. 4. Section 18897.8 is added to the Health and Safety
10 Code, immediately following Section 18897.7, to read:

11 18897.8. The State Department of Public Health, in adopting
12 or amending the rules and regulations pertaining to ~~organized~~
13 ~~resident camps and~~ organized day camps *and organized resident*
14 *camps* under this part, shall make reasonable efforts to obtain the
15 input and advice of organizations in the field. All costs incurred
16 by the participating organizations shall be borne by the
17 organizations themselves. The department shall implement this
18 section in the most cost-effective manner deemed feasible.

19 SEC. 5. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 a local agency or school district has the authority to levy service
22 charges, fees, or assessments sufficient to pay for the program or
23 level of service mandated by this act, within the meaning of Section
24 17556 of the Government Code.

25 However, if the Commission on State Mandates determines that
26 this act contains other costs mandated by the state, reimbursement
27 to local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.